

CAL ARNG PAM 600-1

1 November 1991

Personnel-General

STANDARDS OF CONDUCT

Headquarters

California Army National Guard

1 November 1991

STATE OF CALIFORNIA
OFFICE OF THE ADJUTANT GENERAL
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Preface

This handbook provides guidelines for all personnel of the California Army National Guard on required standards of conduct, performance and discipline. It serves as a summary of many regulations and resource documents, most of which are listed in the reference appendix.

The first part of the handbook is devoted to establishing the ethical foundation upon which the military ethic is based. At the end of that section, suggestions are provided on how to solve ethical dilemmas. The next part of the handbook addresses standards of conduct, followed by guidance on appearance. Appendices include references, a list of recent misconduct cases, and an expanded discussion on ethics.

The author acknowledges plagiarizing widely from such notable experts as Morris Janowitz, Clay T. Buckingham, MG (Ret), Anthony E. Hartle, and Colonel M. M. Wakin, as well as AFR 30-1, the Air Force regulation on Air Force Standards.

When used in this publication, "he," "him," and "men" are applicable to both the masculine and feminine genders unless otherwise specifically stated.

The proponent for this publication is the Deputy Adjutant General, Army Division; Office of The Adjutant General; California National Guard. Readers who have suggestions for improving this text should send them to OTAG, ATTN: CAAD, P. O. Box 214405, Sacramento, CA 95821-0405.

Table of Contents

Page

Preface	i
SECTION I - PURPOSE	
PURPOSE	1
SECTION II - AN ETHICAL FOUNDATION	
GENERAL	1
FUNDAMENTAL NATIONAL VALUES	1
OATH OF OFFICE	1
Oath of Enlistment	1
Commissioning Oath	2
FUNDAMENTAL VALUES OF THE CALIFORNIA NATIONAL GUARD	2
Integrity	3
Courage	3
Commitment	3
Competence	3
OBLIGATIONS OF LEADERS	4
THE TRADITIONAL MILITARY ETHIC	4
MAKING TOUGH CHOICES	5
Ethical Dilemmas	5
Ethical Decision-making Process	5
SECTION III - STANDARDS OF CONDUCT	
A WAY OF LIFE	7
CUSTOMS AND COURTESIES	7
Saluting	8
Respect for the Flag	8
Respect for Authority	9
STRUCTURE	9
Chain of Command	9
NCO Support Channel	10
Inspector General	10
Chaplain	10
Staff Judge Advocate	11

	Page
OTHER STANDARDS OF CONDUCT	11
Relationships, Personal & Professional	11
Job Performance	11
Drug & Alcohol Abuse	12
Equal Opportunity & Treatment	12
Financial Activities and Responsibilities	12
Political Activities	13
Public Statements	14
Ethics Advisor	14

SECTION IV - APPEARANCE

APPEARANCE	14
Dress & Personal Appearance	14
Personal Grooming	14
Uniforms	15
Physical Fitness	16

APPENDICES:

A - REFERENCES	A-1
B - RECENT MISCONDUCT CASES	B-1
C - MORE ON ETHICS	C-1
Military versus Civilian Virtues	C-1
Ethical Codes	C-1
Relationships, Personal and Professional	C-2

SECTION I - PURPOSE

PURPOSE

Soldiers in the California National Guard can best support their state and nation if they serve in an ethical environment with clear guidance on ethics and standards of conduct.

The purpose of this handbook is to provide that guidance.

SECTION II - AN ETHICAL FOUNDATION

GENERAL

Soldiers are expected to practice the highest standards of behavior, obedience, and loyalty - not only in our Guard jobs, but in our relationship with other people and our dealings with the civilian community. Our code of ethics must be such that our behavior and motives do not create even the appearance of impropriety. Our commitment to integrity will lead the way for others to follow. This section will lay the ethical foundation and then get more specific in providing guidance concerning acceptable conduct as a member of the National Guard.

FUNDAMENTAL NATIONAL VALUES

The soldier's calling is to serve the nation, as the military profession exists to protect and defend our way of life. The values of our nation are the bedrock of our profession, and based on the Declaration of Independence, the Bill of Rights, and the Constitution. Those national values are:

- | | |
|---------------------------|------------------------|
| - Truth | - Life |
| - Liberty | - Pursuit of Happiness |
| - Justice and Fairness | - Peace and Security |
| - Equality of Opportunity | - Responsibility |

OATH OF OFFICE

Soldiers voluntarily take an oath, thereby formally and publicly recognizing their commitment to the professional Army ethic. If they choose to accept a commission, they take another oath. They reaffirm belief and commitment to those oaths periodically. Those oaths:

Oath of Enlistment:

"I, _____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; and that I will obey the orders of the President of the United States and the Governor of California and the orders of the officers appointed over me, according to law and regulations. So help me God."

Commissioning Oath:

"I, _____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same, that I will obey the orders of the President of the United States and of the Governor of the State of California; that I make this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the Office of _____ (grade) in the Army National Guard of the State of California upon which I am about to enter. So help me God."

These oaths explicitly commit soldiers to support and defend the Constitution. That entails an obligation to the values and principles represented by the Constitution. These are manifest in the credo Duty - Honor - Country, and reflected in the Professional Army Ethic (FM 100-1). That ethic is listed as Loyalty, Duty, Selfless Service, and Integrity: Loyalty to the nation, to the Army, and to the unit; Duty in the form of obedience and disciplined performance, despite difficulty and danger; Selfless Service is putting the welfare of the state and nation and the accomplishment of the mission ahead of individual desires; and Integrity is the thread woven through the total fabric of the professional Army ethic.

Additionally, obligations of an Officer's Commission in general terms include:

- Special trust and confidence in professional integrity.
- Commitment to patriotism, valor, fidelity and competence.
- Obedience to lawful orders.
- Loyalty to State and Nation.
- Faithfully perform duties of the office.

Both oaths serve as pledges that link basic values of our nation and state to the professional Army ethic and the fundamental values of the California National Guard.

FUNDAMENTAL VALUES OF THE CALIFORNIA NATIONAL GUARD

The fundamental values of the California National Guard are:

- Integrity (being constantly trustworthy and honest)
- Courage (that human quality which enables one to take a considered action recognizing the risk)
- Commitment (personal dedication to the accomplishment of individual and organizational goals)
- Competence (superior performance of assigned missions)

The fundamental values of the California National Guard bear closer examination:

Integrity -

Candor is honesty and fidelity to the truth. Integrity is that one military virtue upon which all others depend. There is no time in combat to verify reports, question the accuracy of information, or wonder about the reliability of equipment. Consequences are too important, and time too short, to communicate anything but the truth - people's lives are at stake.

Integrity is essential not only in combat, soldiers must at all times demand honesty and candor from themselves and from their fellow soldiers. Senior leaders must take bad news well, so staffs are not tempted to tell bosses just what they think they want to hear.

We must avoid unrealistic goals that tempt subordinates to avoid the truth when goals are not met. Demands for perfection often generate false reports from those afraid to appear inadequate and who fail to appreciate the crucial need for functional integrity. We must emphasize integrity while presenting realistic, achievable goals which are mission oriented.

Courage -

Courage is the ability to overcome fear and carry on with the mission. Courage makes it possible for soldiers to fight and win. Courage, however, transcends the physical dimension. Moral courage, the courage of one's convictions, is equally important. It takes a different kind of courage to stand up for what is morally right, particularly when others may want to act out of expedience or self interest. An important aspect of duty is the courage to persevere in what we know is right and not make it easy for friends, peers, comrades, or superiors to do the wrong thing.

Commitment -

Commitment means people dedicated to serving their state and nation. Patriotism and esprit de corps are the hallmarks associated with commitment. Serving with commitment may ultimately require a willingness to risk one's life. On a daily basis, commitment to the unit is also important. Each of us is a member of a team and must realize that others depend on us.

Competence -

Competence is finely-tuned proficiency. Units can only function effectively if the members know their jobs, do their best, and develop their abilities to the utmost. The increasing complexity of battlefield systems demands a high level of proficiency. Competence is important also because when people are part of a competent unit with well-trained and dedicated professionals, they gain confidence, pride, and unit esprit.

OBLIGATIONS OF LEADERS

Leaders have three obligations in properly discharging their ethical responsibilities:

1. They serve as role models worthy of emulation.
2. They promote ethical development in subordinates.
3. They develop and sustain the ethical climate.

THE TRADITIONAL MILITARY ETHIC

A summary of the traditional military ethic can be extrapolated from Anthony E. Hartle's formulation as follows:

Professional soldiers -

1. Accept service to state and nation as their watchword and defense of the Constitution as their calling.
2. Place their duty first. They subordinate their personal interests to the requirements of their profession.
3. Conduct themselves at all times as persons of honor whose integrity, loyalty, and courage are exemplary. Such qualities are essential on the battlefield if a military organization is to function effectively.
4. Develop and maintain the highest possible level of professional knowledge and skill. To do less is to fail to meet their obligations to the state and nation, the profession, and fellow soldiers.
5. Take full responsibility for the manner in which their orders are carried out.
6. Promote and safeguard, within the context of mission accomplishment, the welfare of their subordinates as persons, not merely as soldiers.
7. Conform strictly to the principle that subordinates the military to civilian authority. They do not involve themselves or their subordinates in domestic politics beyond the exercise of basic civil rights.
8. Adhere to the laws of war and the regulations of their service in performing their professional functions.

MAKING TOUGH CHOICES

Ethical Dilemmas. Ethical dilemmas occur when you must choose between two or more important values. Absolute moral principles are necessarily vague. Those who try to adhere to absolute principles are often seen as "men of high principle" and "uncompromising." Those with what could be called a more pragmatic approach are often associated with "expediency" or "flexibility." Moral obligations can and will conflict. Tough choices will often have to be made, and a good soldier should err more towards being one of those with more absolute principles than one who takes more pragmatic approaches.

Ethical Decision-making Process. The Ethical Decision-making Process (see figure 1) is a reasoning process that helps in assessing the impact that various influencing forces have on an ethical dilemma.

THE ETHICAL DECISION-MAKING PROCESS

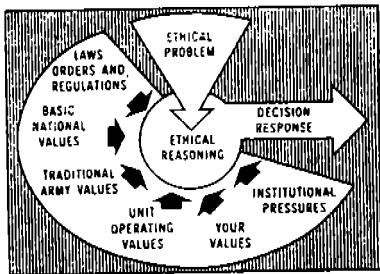


Figure 1

The first step is to identify the dilemma and determine which values are in conflict.

The second step is to analyze those influencing factors and forces which impact on the dilemma. Look for the critical value - the value which is the most important.

After looking at the various influences, it becomes easier to develop and choose the best course of action. Develop reasonable alternatives, and then weigh those alternatives in terms of influencing forces and how the alternative supports the values identified as critical. Finally, select the best course of action.

Working your way through an ethical dilemma can be particularly difficult when a superior is involved. First (see figure 2), make sure that the order from a superior will actually require unethical or illegal conduct. Following the recommended steps will assist in resolving the dilemma.

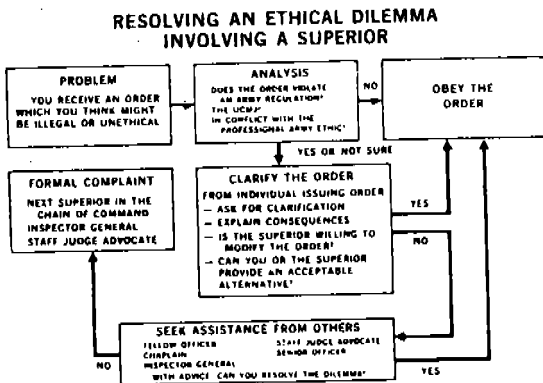


Figure 2

It is important for a soldier to take an ethical stand from the first day of his or her new assignment. Generally, once it becomes known that a soldier will not compromise on integrity issues, that individual will not be asked to.

If you want or need assistance in handling ethical dilemmas, seek help. The service provides a support structure, such as staff judge advocates, chaplains, and inspectors general to assist us in making tough choices. And, of course, one can always turn to a respected more senior or more experienced soldier for advice.

It is helpful to remember when wrestling with ethical dilemmas, that the ethical codes are something we aspire to. Laws and regulations prescribe the minimum standards of conduct we expect from ourselves and our soldiers. The soldier who comes closest to achieving ethical aspirations is usually held in highest regard by other soldiers, and comes closest to achieving career goals.

SECTION III - STANDARDS OF CONDUCT

A WAY OF LIFE

As a member of the National Guard, you are subject to duty 24 hours a day, including weekends and holidays. If so directed by competent authority, you must report for duty at any hour and at any location. You must remain as long as necessary to get the job done, unless excused earlier by competent authority - the mission comes first. Our oath and commitment to state and nation require the best we can give. Furthermore, our mission necessitates more restrictive rules and standards than normally found in civilian life. Individuals who cannot live up to those high standards will not be retained in the California Army National Guard.

Our profession is unique in that duty may call for us to kill. That requirement is included in the ethical discussion found in Appendix C.

Individual Guardsmen are responsible for carrying out orders and performing specific tasks related to our duties. Army standards of conduct apply both on and off duty, in our personal behavior, and in treatment of others, and in both military and civilian environments.

If you are a leader, you have the responsibility to make sure your subordinates meet the same standards, and take appropriate corrective actions when they do not fulfill their responsibilities. You are also held accountable for your own actions, both in the performance of duties and in your personal conduct.

CUSTOMS AND COURTESIES

Our customs and courtesies are proven traditions - some written and some unwritten - that explain what should and should not be done. They involve acts of respect and courtesy that have evolved as a result of the need for order, as well as the mutual respect and sense of fraternity that exist among soldiers.

Saluting. Saluting is a courtesy exchanged between members of the Armed Forces as both a greeting and a symbol of mutual respect. The basic rules regarding saluting are:

1. You salute the President of the United States, the Governor of California, all senior commissioned officers and warrant officers of the Armed Forces, all Medal of Honor recipients, and the officers of friendly foreign nations who are senior in rank.
2. You do not salute indoors unless you are formally reporting to an officer senior to you, are under arms, or it is required for ceremonial purposes.
3. You must always salute when outdoors and in uniform, both on and off post, unless:
 - a. You are carrying articles (or a heavy object) in both hands, which cannot be transferred to the left hand, or another legitimate reason such as injury, and so forth (in this case, an oral

greeting should be exchanged, such as "Good Morning, Sir or Ma'am"). If the senior's arms are incapacitated, you will still salute.

b. You are in a designated "covered" or "no salute" area.

c. You are a member of a military formation or work detail (only the senior member salutes).

4. You salute officers in government cars if the car has a flag or metal standard that identifies the rank of the occupant (usually general officers or the post commander).

Respect for the Flag. The flag of the United States represents the principles and ideals we have pledged to defend; it is treated with the same respect due to the highest public official. It will never be treated with contempt or used as a drapery, or as part of an article of clothing, or as a covering for furniture or automobiles. No lettering of any kind should be placed on the flag nor should it be used for advertising purposes. During parades, when in uniform, you salute (except for small flags carried by individuals, such as those carried by civilian spectators) as the flag passes in front of you.

1. **Distance.** Military personnel passing an uncased National Color salute at six steps distance and hold the salute until they have passed six steps beyond it. Similarly, when the uncased color passes by, they salute when it is six steps away and hold the salute until it has passed six steps beyond them.

2. **National Anthem.** You are required to show the proper respect to the flag and the National Anthem both indoors and outdoors, in uniform or in civilian clothes.

a. **Indoors.** At public or military events, you are required to stand at attention during the playing of the National Anthem whether in uniform or civilian clothes, and remain silent. In uniform, you face the flag (if visible) or music, but do not salute. In civilian clothes, you place your right hand over your heart. This does not apply when you hear the National Anthem on radio or television.

b. **Outdoors.** In uniform, you give the military salute and remain silent during the National Anthem. In civilian clothes, you salute by standing at attention and placing your right hand over your heart. (Men should remove their headdress with their right hand and hold it over their heart.) When attending public events, you stand at attention and salute (when in uniform), or place your right hand over your heart (when in civilian clothes) during the playing of the National Anthem.

c. **Reveille and Retreat.** On military posts, armories, and OTAG; the flag is raised at the start, and lowered at the end of each day. In the morning, the bugle call "reveille" is played, and if you are outside, you face the flag (or the music), stand at attention, and salute. In the evening the bugle call "retreat" is usually sounded, and followed by playing of either the National Anthem or "To The Colors." If you are outside, you face the flag, stand at attention during the playing of "retreat", and then salute during the playing of the National Anthem or "To the Colors." If driving a vehicle, you dismount and face the flag. Occupants of a passenger car or on a motorcycle

dismount also. Occupants of other types of military vehicles and buses remain in the vehicle while the individual in charge of each vehicle dismounts and faces the flag. Dismounted personnel then render the appropriate courtesy.

3. **Pledge of Allegiance.** Honors to the flag during the Pledge of Allegiance are similar to those rendered during the playing of the National Anthem or "To the Colors."

a. **Military formations or ceremonies.** You do not recite the Pledge of Allegiance while in military formation or during military ceremonies (because every soldier has already sworn an oath that applies every day, 24 hours a day).

b. **Outdoors.** When in uniform, you stand at attention, face the flag, remain silent, and render the hand salute.

c. **Indoors.** When in uniform, stand at attention, face the flag, remain silent, but do not salute. However, if the participants are primarily civilians or in civilian clothes, you may recite the Pledge of Allegiance if you wish.

d. **Civilian Dress.** When in civilian clothes (indoors or outdoors), you should stand at attention, face the flag, and recite the Pledge of Allegiance while holding your right hand over your heart. (Men should remove headdress with the right hand and hold it over their heart.)

Respect for Authority. As a general rule, senior personnel enter an aircraft or automobile last and leave first. Junior personnel walk to the left of seniors. Unless otherwise authorized, subordinates will stand in the presence of senior officer personnel. A senior may address a subordinate by his or her first name; however, it is inappropriate for a subordinate to communicate in such an informal manner.

STRUCTURE

To perform effectively in the Army, you must understand the structure and some of the systems that govern its operation.

Chain of Command. The Chain of Command provides the control and communications necessary to accomplish the mission. Each "link" in the chain is a level of responsibility and authority extending from the President of the United States - as Commander in Chief - when we are in Federal status, or from the Governor - as Commander in Chief - when we are in State status. The Chain of Command extends through each commander, to every level, including yours. Different levels within the chain have different levels of responsibilities and authority; however, all levels have some things in common. Each level in the chain is responsible for a lower level, and accountable to all higher levels. The chain cannot work without loyalty to every level. With loyalty up and down the chain, it is a highly efficient and effective system for getting things done. Everyone is a part of, and subject to, the Chain of Command and must use it properly. The key principle is to resolve problems and seek answers at the lowest possible level. If it becomes necessary for you to continue up the chain, you should request assistance at each level before going to the higher level and advise that you are doing so. (There is one qualification to this; it is covered below when describing the role of the Inspector General.)

NCO Support Channel. The NCO support channel parallels and reinforces the Chain of Command. Both are channels of communication used to pass information. The NCO support channel was formalized in late 1976. It is used not only to pass information, but for issuing orders and getting routine but important jobs done. Most often it is used to put policies and procedures into effect, and to enforce standards of performance, training, appearance, and conduct. In addition to conducting normal operations, NCOs in the support channel advise the commander on individual soldier proficiency and training needed to ensure unit readiness. This leaves the commander free to plan, make decisions, and program future training and operations.

The existence of strong parallelism - platoon sergeant with platoon leader, first sergeant with company commander, command sergeant major with battalion commander, et cetera; provides a reinforcing mechanism that greatly strengthens units. To be effective, communications must be strong between counterparts, plus up and down the chain. This prevents duplicate or conflicting orders, and ensures individuals and units are held to appropriate standards of performance, appearance, and conduct.

Inspector General. While IGs are not considered a structural part of the Chain of Command, Inspectors General perform a very important role in the command function. The IG serves as the commander's advisor, investigator, and guardian of readiness. They inspect, investigate, and train. There is an IG at every brigade and higher command. They receive, investigate and report on allegations, complaints, and grievances of individuals and units. IGs monitor trends, both positive and negative, and serve as confidential advisors to the commander.

You have the right to present a complaint without fear of reprisals. This right is ensured by Army regulations and policy. Complaints may be presented in person, telephonically, or in writing. Make the complaint to leaders such as first sergeants or commanders, to members at any level of the IG system, or to someone higher in the chain of command.

Use of the Army Complaints System is encouraged, but first you should allow your immediate supervisor, your first sergeant, or commander the chance to resolve the problem. They may be closer to the issues and should thereby be in a position to more rapidly provide a solution to the problem. But, it is emphasized that you may enter a complaint at any level of command. In addition to having the right to present personal complaints, you also have the responsibility to report violations of Army and National Guard directives or the existence of an error, injustice, deficiency, fraud, waste, abuse, or a similar condition to your supervisor, first sergeant, commander, or the IG.

Chaplain. The chaplain plays a key role in the ethical and moral climate of a command. He is directly accessible to any soldier, and in turn has direct access to soldiers and the commander. While the chaplain's primary responsibility involves religion, most chaplains by training and inclination are uniquely placed to assist the commander in ensuring a proper moral and ethical climate is maintained.

Staff Judge Advocate. The Staff Judge Advocate (SJA) provides legal advice to the commander, staff, and subordinate commanders and soldiers. It is important to again emphasize that the SJA can assist us in determining the minimum standards of conduct, as ethical codes are aspirational.

OTHER STANDARDS OF CONDUCT

Your code of ethics must be such that your behavior and motives do not have even the appearance of impropriety. Your commitment to integrity must lead the way for others to follow. You must not engage in any conduct that is illegal, dishonest, or otherwise brings discredit upon the Army or the National Guard. In the expanded discussion on ethics included in Appendix C to this handbook, the point is made that we should not produce specific ethical codes because it is impossible to make them complete and applicable to all situations. Nonetheless, we are providing some additional specific guidance below, and refer the reader to Appendix C and AR 600-50, Standards of Conduct for Department of the Army Personnel, for further guidance.

Relationships, Personal and Professional.

1. Public displays of affection, such as handholding, embracing, or walking arm-in-arm, are inappropriate for members in uniform, and may be service discrediting since indiscriminate displays of affection in public detract from our professional image.

2. Professional relationships and fraternization.

a. Professional relationships are essential to effective military operations. In all supervisory situations, relationships must be truly professional and supportive of the mission and operational effectiveness. It has been recognized for many, many years that officers in the military service shall not fraternize or associate with enlisted members under circumstances that prejudice good order and discipline.

b. You are urged to carefully read the detailed treatment of this subject under the heading "Relationships, Personal and Professional," found in Appendix C at the end of this handbook.

3. **Membership in Professional Associations.** Soldiers are encouraged to join professional associations, especially those associations that support the military and professional military development. However, as a member of a private association, you must avoid activities on behalf of any association that are incompatible with your military position.

Job Performance. Job performance standards include what you do, how much you do, and how well you accomplish the duties. Your primary responsibility is to do your part to accomplish the mission. But, accomplishing the mission requires more than just technical proficiency. You must be a good team member. You must be responsive and do what you are told quickly and efficiently. You must be dependable and responsible for your actions so leaders do not have to

constantly monitor or follow up on your activities. Quality and quantity of work are both important to mission accomplishment, and they are the primary measures of your efficiency and productivity. Your conduct and performance on the job must be guided by a sense of loyalty to both your leaders and co-workers, consistent with the safe and proper fulfillment of regulations, directives, and other lawful orders.

Drug and Alcohol Abuse.

1. The illegal or improper use of drugs is incompatible with Army standards of behavior, performance, and discipline necessary for accomplishing the mission and will not be tolerated. You are responsible for reporting known or suspected incidents of drug abuse, and encouraging persons known to you to seek assistance in drug rehabilitation programs.

2. You have the responsibility to exercise good judgment in the use of alcohol. In the California Army National Guard, we do not drink alcohol during the duty day, or when we are in the field in a training environment regardless of the time of day. Your use of alcohol must not adversely affect your duty performance or your conduct on or off duty. Driving while intoxicated will not be tolerated; violators are subject to apprehension and punishment under the Uniform Code of Military Justice.

Equal Opportunity and Treatment. Others must be treated with respect and dignity without regard to their race, color, religion, age, national origin, or sex.

1. Each major command has Equal Employment Opportunity (EEO) counselors assigned to help ensure we maintain the proper environment. They provide advice and counsel to the commander and staff, and are available to help you if you feel you have been a victim of discrimination. You are encouraged to discuss any problem with your immediate supervisor or commander in an attempt to resolve problems at the unit level. However, you can file a discrimination complaint with the EEO counselor or the Inspector General without fear of reprisal.

2. The avoidance of sexual harassment, a sub-category of sex discrimination, requires your special attention. Professional soldiers treat other soldiers as professionals, regardless of sex. We have no room for sexual harassment.

Financial Activities and Responsibility.

1. You may not engage in any private business or professional activity or have any direct or indirect financial interest that would place you in a position where there is a conflict (or the appearance of a conflict) between your private interests and the public interest of the United States or the State of California.

2. You may not use your military position in an attempt to persuade any person or group to provide financial benefit to you or others.

3. You and your immediate family may not solicit, and, with limited exceptions, may not accept gifts from anyone engaged in or endeavoring to engage in business with any component of the Department of Defense or the Military Department, State of California.

4. You may not engage in any personal commercial solicitation or sale to any military personnel junior in rank or grade at any time, on or off duty, in or out of uniform. (This does not apply to the one-time sale of personal property, such as home, boat, car, and so forth. It also does not apply to off-duty personnel employed in retail stores or other situations that do not include solicited sales.)

5. You may not solicit a contribution from other personnel for a gift to an official superior, or make a donation or gift to an official superior or members of the immediate family of a superior. You may not accept a gift from subordinate personnel, except for voluntary gifts or contributions of nominal value on special occasions, such as marriage, illness, transfer, or retirement, provided any gifts acquired from such contributions do not exceed a reasonable value (the current limit is \$200, but AR 600-50 should be checked). Cash cannot be presented as a gift.

6. You may not use government facilities or equipment for other than officially approved activities.

7. You may not gamble or bet while on property owned or leased by the government or while on duty, unless specifically authorized. Fund raising activities that include charity gambling must meet MWR regulatory requirements. The sections of the California penal code which prohibit gambling specifically include office pools, sports pools and raffles, among other similar activities.

Political Activities. Generally you enjoy the same rights and have the same responsibilities as other citizens. However, since you are a soldier, the manner in which you exercise your rights is limited in some cases. Under our democratic system, the military, as a group, must remain politically neutral and divorced from partisan politics. This is especially true when wearing the uniform. AR 600-20 provides guidance about participation in political activities. There are some general rules you should remember:

1. You have the right and duty as an American citizen to vote and to voice your opinions concerning political matters. However, you must be very careful that your personal opinions and activities are not directly, or by implication, represented as those of the Army or the National Guard.

2. While you and your dependents have the right to petition the President, the Congress, or other public officials, you may not publicly solicit or collect signatures on a petition when in uniform or in a foreign country. You may not circulate or sign a petition on a military post unless the petition has been authorized by the post commander.

3. You may not distribute, on a military facility, any written or printed materials that advocate the violent overthrow of the government or can be expected to incite disorder; adversely affect morale, good order, and discipline; or interfere with the accomplishment of a military mission.

4. You may not participate in any demonstration or other activity within a military installation, that (a) has not been approved by the commander, (b) could result in interference with or prevention of orderly accomplishment of the mission of the installation, or (c) presents a clear danger to loyalty, discipline, or morale of members of the Armed Forces.

Public Statements. Soldiers must be careful that when they make public statements on official Army or National Guard matters, they avoid statements that do not reflect official policy or that, if taken from context, could be misleading to the public. Personnel should make certain that information presented is accurate, prompt, and factual; is confined to their particular fields of expertise; avoids the hypothetical and speculative; reflects official policy; is presented simply and honestly; and complies with the spirit and letter of the Secretary of Defense's principles of public information. Specific guidance is found in AR 360-5, Public Information.

Ethics Counselor. The Assistant Staff Judge Advocate Hq STARC has been designated the Command Ethics Counselor. He is responsible for proper coordination and final disposition of all matters related to standards of conduct and conflicts of interest as covered by AR 600-50. The Ethics Counselor is responsible for assisting personnel and providing information in ethics matters.

SECTION IV - APPEARANCE

Dress and Personal Appearance. You must comply with the established dress and personal appearance standards. The standards consist of the four elements - neatness, cleanliness, safety, and military image. The element requiring the most judgment is "military image". It is the most important aspect of Army appearance standards since other people, both military and civilian, draw certain conclusions about you and the Army based upon what they see. You are expected to have your weight under control and within standards. When in uniform, you are expected to present a professional image. This includes walking with hands out of pockets, ensuring all buttons are buttoned, and so forth. Your appearance must instill confidence and leave no doubt that Army personnel maintain a common standard and are responsive to military order and discipline. Army appearance standards are designed to reflect a moderate image and to exclude the extreme, the unusual, the fad. The standards are influenced to some degree by tradition and reflect the image the Army intends to project to the public.

Personal Grooming. Although you have the right, within established limits, to express your individuality through your appearance, the Army has defined what is and what is not an acceptable, professional military image for soldiers. Except for minor variations based on sex differences, all Army personnel must comply with the same personal grooming standards. Leaders have the responsibility to determine compliance with the letter and intent of AR 670-1 and to correct the obvious violations regardless of whether the situation identified is clearly written in the regulation.

Uniforms. A very important part of the military image you project and the impression you create is how you wear your uniform. As with other personal appearance standards, the Army emphasizes a "neat, clean, professional" image. Your uniform is your personal property, and it is your responsibility to keep it clean, pressed, and in good repair. You are also responsible for knowing the authorized uniform components and the correct placement of ribbons, insignia and badges. Here are some general rules you should remember:

1. You must wear the appropriate uniform while performing your military duties unless you have been granted special authority to wear civilian clothes. If you are authorized to wear civilian clothes on duty, you still must comply with Army appearance standards.

2. You may wear only authorized uniforms, and may not mix uniform items or wear distinctive uniform items with civilian clothes.

3. Outdoors you are required to wear a hat or other authorized headgear when in uniform, except the mess dress. Exception: Hats are not required in designated "no hat" areas. You will not wear a hat indoors unless under arms.

4. When traveling on military aircraft, you must wear a military uniform unless your orders specifically authorize or direct the wearing of civilian clothes. When traveling by commercial means, soldiers will wear civilian attire or the appropriate military uniform. The battle dress uniform (BDU) is not authorized for wear in a commercial conveyance.

5. It is important to wear your uniform properly on military installations. However, your appearance off post is even more important. Soldiers will not wear BDUs to off post business establishments if they intend to do extended shopping, dining, socializing, or take part in any entertainment. To the general public, you represent the Army, and you must ensure that your appearance makes a favorable impression.

6. You will not wear the uniform, or any part of the uniform:

a. At a meeting or demonstration by, or sponsored by, an organization, association, movement or group that:

(1) Advocates or approves acts of force or violence to deny others their rights under the Constitution.

(2) Seeks to change the government by unconstitutional means.

b. When participating in activities such as public speeches, interviews, picket lines, marches, or rallies; or in any public demonstration (including civil rights demonstrations) not approved by the Army.

c. When furthering private employment or commercial interests, if official sponsorship may be inferred.

d. When engaged in off-duty civilian employment.

e. When it would discredit the Armed Forces.

f. At any public meeting, demonstration, march, rally, or interview if the purpose may be to advocate, express, or approve opposition to the Armed Forces.

Physical Fitness. You are responsible for keeping yourself in good physical condition and maintaining your weight within Army standards. Good physical condition will help you fulfill your military responsibilities with vigor and assist your tolerance to stress, especially in combat. By maintaining a lean and fit appearance, you also project the military image expected of all soldiers.

Appendix A

APPENDIX A - REFERENCES

		References
AR 1-210	(30 Nov 72)	<i>Participation in Activities of Private Associations</i>
AR 1-211	(1 Dec 83)	<i>Attendance of Military Personnel at Private Organizations Meetings</i>
AR 20-1	(15 Dec 89)	<i>Inspector General Activities and Procedures</i>
AR 600-15	(14 Mar 86)	<i>Indebtedness of Military Personnel</i>
AR 600-20	(30 Mar 88)	<i>Army Command Policy</i>
AR 600-50	(28 Jan 88)	<i>Standards of Conduct for Department of the Army Personnel</i>
AFR 30-1	(4 May 83)	<i>Air Force Standards</i>
FM 22-100	(31 Jul 90)	<i>Military Leadership</i>
FM 22-103	(21 Jun 87)	<i>Leadership and Command at Senior Levels</i>
FM 22-600-20	(13 Nov 86)	<i>The Army Noncommissioned Officer Guide*</i>
FM 100-1	(29 Aug 86)	<i>The Army</i>
MQS TngSpdPkg	(15 Apr 90)	<i>Leadership (Ethics), MQS 1 Training Support Package #S1-9001.00-0001 TSP-2 9004 & TSP/HO-7 9004 Center for Army Leadership, Fort Leavenworth, KS</i>
TC 22-6	(23 Nov 90)	<i>The Army Noncommissioned Officer Guide*</i>
VISION 2020	(1991)	<i>CNG Long Range Plan</i>
Hartle, Anthony E.		<i>Moral Issues in Military Decision Making. University Press of Kansas, 1989.</i>
Jankowitz, Morris		<i>The Professional Soldier: A Social and Political Portrait. The Free Press, New York, N.Y. 1960</i>
Schumacher, CH (COL) John W.		<i>Military Professional Ethics, an unpublished USAWC lesson plan.</i>
Wakin, Malham M. COL		<i>War, Morality, and the Military Profession. Second Edition, revised and updated. Westview Press, Boulder, CO 1986</i>

*TC 22-6 appears to replace FM 22-600-20. The Field Manual provides much more comprehensive information on the NCO Support Channel, while the Training Circular gives more detailed guidance on resolving ethical dilemmas.

Appendix B

APPENDIX B - RECENT MISCONDUCT CASES

Following are some of the cases of misconduct and ethical violations among the soldiers of the California Army National Guard that occurred over the past five years:

Fraternalization with junior soldiers.

Misuse of government property (especially military vehicles, computers, and copy machines).

Hire of soldiers for duty using funds designed for other use.

Senior NCO was dismissed, following a verbal altercation, without due process.

Adultery.

Cheating on correspondence courses (either copying other's work, or having subordinates do the work).

Double standards, especially in administration of APFT and the requirement to be present for training.

Secretly taping (with personal tape recorder) conversations with senior officers.

Sexual harassment.

Officer was marked present for duty when he was actually out-of-state.

Commander refused to appoint minority officers to command positions.

Taking adverse action against subordinates because they submitted a complaint.

Unequal treatment (compared with Active Component) in payment of per diem while on active duty.

Releasing results of promotion/selection boards.

Cheating on expense vouchers.

Claiming pay for duty not performed.

Commander and senior NCO conspired to eliminate other senior NCOs by a systematic campaign of harassment, misdirection of paperwork, and retaliation for complaints made against other leaders.

Drunk in public, including willful property damage.

Improper utilization of armory space, including personnel living in the armory on a semi-permanent basis.

Military vehicle driven in a reckless manner. Roadside confrontation resulted in obscene comments and gestures.

Yearbook being staffed and supported in violation of regulations.

Soldier wore his uniform while on trial for felony offense in attempt to obtain sympathy of jurors.

Battalion had organized unauthorized on-post support for wives and girlfriends as part of battalion's family day.

Soldier fabricated story of weapon being taken from armory to obscure fact that weapon disappeared from unattended, disabled vehicle.

Officer coerced subordinate to sign false (property) documents.

Appendix C

APPENDIX C - MORE ON ETHICS

The following additional information on ethical issues is provided as a summary of relevant material listed in the Reference Appendix (App. A).

MILITARY VERSUS CIVILIAN VIRTUES

Sir John Hackett points out that military virtues are not in a class apart, they are virtues found in every walk of life. However, they acquire a functional as well as moral significance in the military context. The essential function of an Army is to fight in battle. While those values are found in every walk of life, in the profession of arms they are functionally indispensable.

The difference between military and civilian values is a particular challenge to the citizen-soldier of the National Guard. The moral tone in a military group tends to be higher than in a civilian group (even among civilian professionals), where the existence of these qualities is desirable but not functionally essential. The values in a civilian group will make life for members of the group more agreeable, but will not necessarily make the group functionally more efficient. Especially important is the fact that the presence of accepted values in a military group, as opposed (with just a couple of exceptions) to a civilian group, can be a matter of life or death. As former Army Chief of Staff General Edward C. Meyer said, "The obligation of service and commitment inherent in the military ethic imposes burdens not customary in the larger society where obligations are normally contractual in nature and limited in degree of personal sacrifice expected. For the soldier, the obligation is complete: to death if necessary."

Universal obligations among the moral virtues critical to the military include loyalty and obedience; integrity and courage; and subordination of the self to the good of the military unit, the state, and nation. Being universal obligations, the soldier must live by those virtues whether in his civilian pursuits or as a leader of soldiers in the National Guard.

ETHICAL CODES

Specific ethical codes. Colonel Malham M. Wakin and others advise caution in the use of specific ethical codes. The natural tendency is to treat them as exhaustive when they can only serve to highlight a limited number of moral precepts. Moral principles cannot be absolute. A short example among many is the officer who has promised to meet his commanding officer for lunch at a certain time, but encounters on the way an accident victim screaming for help. The officer will stop in spite of having to break his promise.

Understanding "honorable/ethical" behavior. Thorough understanding of "honorable/ethical" behavior is a very sophisticated endeavor. We occasionally have images of military leaders whose private conduct (sexual, social, and so on) seems to function on a totally

different level from their public or military conduct. The temptation is to rationalize this as acceptable in the context of the citizen-soldier, where one can be considered "primarily a civilian". That reasoning is fallacious. The stability in the Reserve Components ensures that soldiers get to know one another quite well. In addition, the National Guard is geographically-based, so soldiers often know their peers in a civilian as well as military capacity. As a consequence, quite often the National Guard soldier's view of superiors, peers, and subordinates is based on the "total person" as observed in both civilian and military settings.

The term "gentleman". Morris Janowitz suggests that in the Western World the roots of the contemporary view of military honor are found in the aristocratic traditions of early European armies. He further suggests that the code of honor in the military was inherited from the British and contained the following four components: (1) officers are gentlemen, (2) personal loyalty is owed to the commander, (3) officers are members of one big brotherhood, and (4) officers fight for traditional glory. The U.S. military has obviously modified this code. While officers are still concerned about being "ladies" and "gentlemen," those terms today refer to standards of behavior and officer responsibilities rather than to aristocratic birth.

The term "military honor" is a broad concept and includes the notion of brotherhood. It includes the fact that "an officer's word is his bond". Perhaps as important as any other imperative is the understanding that the professional soldier always fights. To refuse a combat assignment is to commit the most serious offense against one's military honor and to break faith with one's peers.

The Honor Codes used in our military academics serve as a constant reminder and reinforcement of professional ethics over the several years of a young military officer's most formative period. Unfortunately, the State OCS and ROTC programs which are the source of most officers in the National Guard, do not provide a similar setting to inculcate these values. This requires a conscious effort by leaders at all levels, but especially more senior levels, to set the example while earnestly discharging ethical responsibilities by providing an ethical environment.

RELATIONSHIPS, PERSONAL AND PROFESSIONAL

1. Professional relationships are essential to the effective operation of the California National Guard and to maintenance of morale, good order and discipline.
2. Unprofessional relationships are inappropriate and have a detrimental effect by degrading morale and prejudicing good order and discipline.
3. Inappropriate familiarity or close personal relationships can result in or create the appearance to a reasonable person of favoritism, preferential treatment or impropriety. Instances of actual favoritism, partiality, or misuse of grade or position may constitute violations of the Uniform Code of Military Justice (UCMJ) when they prejudice good order and discipline or discredit the Armed Forces. Inappropriate familiarity or close personal relationships are unprofessional in a military organization.

4. Social and personal relationships are normally matters of individual concern. They become matters of official concern when such relationships involve supervisory situations, relationships between junior and senior officers, and relationships between officers and enlisted members. Experience and common sense have shown that certain relationships invariably have a negative impact on morale, good order, and discipline. When the existence of certain factors or combination of factors make it reasonable to predict that an adverse impact will result, immediate action is required by all supervisory personnel, officers, and noncommissioned officers to correct the situation before morale, good order, and discipline are damaged.

5. It is a long standing and well recognized custom in the military service that officers shall not fraternize or associate with enlisted members under circumstances that prejudice morale, good order, and discipline. Fraternization consists of relationships between officers and enlisted persons which violate the customary bounds of acceptable behavior in the Armed Forces. Fraternization is an offense under the UCMJ and punishable pursuant to the California Manual for Courts-Martial and Non-Judicial Punishment. Fraternization is directly related to officership, leadership, and fitness for command. While the term fraternization applies only to officer-enlisted relationships, the need to maintain professional relationships applies to every superior-subordinate relationship without regard to grade or status.

6. In the broader sense of superior-subordinate relationships, there is a balance that recognizes the appropriateness of relationships. The California National Guard encourages personnel to communicate freely with their superiors regarding their careers and performance, unit effectiveness, workplace improvements, and a wide range of similar subjects. This type of communications enhances morale and good order, improves the operational environment, and results in a more efficient, vital, and responsive military organization.

7. Leaders must make sure that in developing good professional working relationships (for example, through enhanced interactive/proactive communication), that personal relationships with subordinates or those whose duties or assignments are such that they are in a position to influence, either directly or indirectly, do not give the appearance of favoritism, preferential treatment, or impropriety, or evolve into unprofessional conduct or unprofessional relationships. Excessive socialization and undue familiarity, real or perceived, within the military environment, degrade leadership and interfere with command authority and mission effectiveness.

8. All members must be aware of the potential dangers of certain relationships and be particularly sensitive to the following:

(a) Relationships in the same chain of command, unit, or a closely related unit. Unduly familiar relationships between members of different rank, grades or position in these categories are almost always unprofessional because of actual partiality or favoritism or the perception thereof by others in the military organization. Consequently, it is not advisable to date or become personally obligated or indebted to junior members or subordinates. Because the senior member normally exercises authority or some direct or indirect organizational influence

over the junior member or subordinate, the danger for actual or perceived abuse of authority is always present. The ability of the senior member to influence assignments, performance appraisals, promotion recommendations, duties, awards, and other privileges and benefits, places both the senior member and the junior member or subordinate in a vulnerable position.

(b) **Dating and close relationships.** Dating, courtships, and close friendships between men and women are subject to the same policy considerations as other relationships. Like any relationship within the military environment, they become a matter of official concern when they adversely affect morale, good order, discipline, or mission accomplishment. Members entering into these relationships must consider the potential impact of their relationships on the military organization. Consequently, it is not advisable for officers or those in supervisory positions to date or become unduly familiar with junior officers, enlisted, or other subordinate personnel in their chain of command, unit, or closely related unit. It is important to reiterate that the senior member in a relationship is primarily responsible for maintaining the professionalism of that relationship. Unprofessional relationships or undue familiarity will create the appearance that personal friendships and preferences are more important than individual performance and contributions to the mission. It is also important to note that allegations of fraternization frequently come to light as the result of the appearance of sexual misconduct, even though the crime of fraternization is not directly related to either sexual ethics or gender. Additionally, in the highly sensitive area of courtships or the initiation of a relationship, there is potential for allegations of sexual harassment or sex discrimination claims to be lodged against a senior member or individual in a supervisory position.

(c) **Other relationships.** Other relationships, not specifically addressed in (a) or (b) above, can, depending on the circumstances, lead to actual or perceived favoritism or preferential treatment and must be avoided. For example, officers, senior members, and individuals in supervisory positions should be extremely cautious of creating the appearance of undue familiarity if they frequently attend social gatherings, clubs, bars, or theaters on a personal, social basis with enlisted members or subordinates. Additionally, officers must not gamble with enlisted members. Unprofessional relationships, including fraternization, between members of different services, particularly in joint service assignments, may have the same impact on morale, good order, and discipline as if the members were assigned to the same service. In joint or combined assignments with coalitions or allies of the U.S., unprofessional relationships may jeopardize the mission and create awkward or serious diplomatic or international problems.

9. Personal responsibility for maintaining professional relationships and avoiding fraternization. All members share responsibility for observing respect for authority and maintaining military customs and courtesies. However, the senior member in a relationship is the one primarily responsible for maintaining the professionalism of that relationship. Leadership

requires maturity and discretion to avoid relationships which undermine respect for authority or which impact negatively on morale, good order, and discipline, or the mission. The senior member is presumably in a better position to appreciate the effect of a particular relationship on an organization and to terminate or limit the extent of the relationship. This is especially true of officers and NCOs who are expected to exhibit the highest standards of professional conduct and to lead by example. Professional and personal relationships in the military are sufficiently sensitive that conduct of personnel should be focused on high ethical standards rather than the bare minimum. Adherence to high standards will preclude involvement that could lead to criminal proceedings for fraternization or adverse administrative action for inappropriate behavior.

10. **Commanders and supervisory responsibility.** Commanders and supervisors at all levels have the responsibility and authority to maintain morale, good order, and discipline within their units. If good professional judgment and common sense indicate that a relationship is causing, or may reasonably result in a degradation of morale, good order, discipline, or mission effectiveness, corrective action must be taken immediately. Action should normally be the least severe necessary to correct the situation, giving full consideration to the impact the relationship has had on the organization. Corrective action in different cases need not be identical, but should be measured in terms of the nature of the relationship and the severity of its impact on morale, good order, discipline, or the mission.

(a) The full spectrum of administrative actions, including but not limited to counseling, oral or written reprimand, removal, demotion, transfer, loss of NCO status, adverse comments in performance reports and processing for administrative separation, are also available as corrective tools.

(b) Instances of actual favoritism, partiality, or misuse of grade or position may constitute violations of the UCMJ, as does fraternization, and can result in punitive action administered pursuant to the California Manual for Courts-Martial and Non-Judicial Punishment.

THE ETHICAL "TEST"

1. GOLDEN RULE -

**ARE YOU TREATING OTHERS AS YOU
WOULD WANT TO BE TREATED?**

2. PUBLICITY -

**HOW WOULD IT LOOK ON THE FRONT
PAGE OF TOMORROW'S NEWSPAPER?**

3. KID ON YOUR SHOULDER -

**HOW WOULD YOU FEEL IF ONE OF
YOUR CHILDREN WAS LOOKING OVER
YOUR SHOULDER?**